

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

JUN 22 2006

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

MERRILL LYNCH, PIERCE, FENNER  
AND SMITH, INCORPORATED, a  
corporation organized and existing under the  
laws of the State of Delaware with its  
principal place of business in New York,  
New York,

No. 04-16401

No. 04-16503

No. 04-16538

USDC HAWAII

CIVIL NO. 00-00595MLR

ORDER

Plaintiff - Appellee,

v.

**RECEIVED**  
CLERK, U.S. DISTRICT COURT

JUN 27 2006

DISTRICT OF HAWAII

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

JUN 27 2006

at 5 o'clock and 00 min. P.M.  
SUE BEITIA, CLERK

ENC CORPORATION; SUNTRUST  
INVESTMENT CO., S.A., a corporation  
organized and existing under the laws of  
Switzerland with an address at rue de  
Jargonnant 2, P.O. Box 76, 1211 Geneva 6,  
Switzerland; JOHN K. BURNS, a citizen of  
the United States, with an address at 300  
Wacker Drive, Suite, 900, Chicago, Illinois,  
60606; THE ESTATE OF FERDINAND E.  
MARCOS; IMELDA R. MARCOS;  
FERDINAND R. MARCOS, JR.; MARIA  
IMELDA MARCOS; IRENE MARCOS  
ARANETA; FRONTIER RISK CAPITAL  
MANAGEMENT, L.C.C., a limited liability  
company organized and existing under the  
laws of the States of Nevada, with a  
registered office at 6100 Neil Road, Suite  
500, Reno, NV. 89511 and an address at 300  
Wacker Drive, Suite 900, Chicago, IL 60606;  
GROSVENOR CAPITAL LTD., a company  
organized and existing under the law of the

A TRUE COPY  
CATHY A. CATTERSON  
Clerk of Court  
ATTEST

JUN 22 2006

by: *[Signature]*  
Deputy Clerk

United Kingdom, with an address at Grosvenor Gardens House, Suite 117, 35-37 Grosvenor Gardens, London SW1 W OBS, United Kingdom; THE ESTATE OF ROGER ROXAS; GOLDEN BUDHA CORPORATION, a corporation organized and existing under the laws of the State of Georgia, with a registered office at 710 West First Street, Blue Ridge, Georgia 30513, and a mailing address at 260 Carrollton St., Buchanan, GA 30113,

Defendants,

and,

ARELMA, INC., a corporation organized and existing under the laws of Panama with a permanent address at Ave. Justo Alosemena y Calle 41 Este, No. 40-59 Pte al Colegio Immaculada, Panama I.Rep.de Panama, and a mailing address at c/o Suntrust Investment Co.S.A., ru de Jargonnant 2, P.O. Box 76, 1211 Geneva 6, Switzerland;,

Defendant - Appellant,

MARIANO J. PIMENTEL, on behalf of himself and all other persons similarly situated;,

Defendant - Appellee,

PHILIPPINE NATIONAL BANK,

Defendant - Appellant.

Before: NOONAN, THOMAS, Circuit Judges, and ROBART\*, District Judge.

Appellant PCGG's motion for a stay of execution of judgment is GRANTED. The district court shall not transfer, distribute, or otherwise dispose of any portion of the funds that are the subject of this interpleader action, nor shall any party to this action seek any such transfer, distribution, or disposition, until the issuance of the mandate by this Court.

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\* The Honorable James L. Robart, United States District Judge for the Western District of Washington, sitting by designation.